BEFORE THE PERSONNEL APPEALS BOARD

STATE OF WASHINGTON

DOUGLAS ELDRED, Appellant, v. DEPARTMENT OF TRANSPORTATION, Respondent.	Case No. ALLO-99-0014 ORDER OF THE BOARD FOLLOWING HEARING ON EXCEPTIONS TO THE DETERMINATION OF THE DIRECTOR

Hearing on Exceptions. Pursuant to RCW 41.64.060 and WAC 358-01-040, these matters came on for a consolidated hearing before the Personnel Appeals Board, GERALD L. MORGEN, Vice Chair, on Appellant's exceptions to the Director's determination dated May 10, 1999. The hearing was held at the office of the Personnel Appeals Board in Olympia, Washington, on October 15, 1999. WALTER T. HUBBARD, Chair, reviewed the record, including the file, exhibits, and the entire taped proceedings, and participated in the decision in this matter. NATHAN S. FORD JR., did not participate in the hearing or in the decision in this matter.

Appearances. Appellant Douglas Eldred was present and was represented by Bill Kalibak, Union Representative, International Federation of Professional and Technical Engineers, Local 17. Respondent Department of Transportation (DOT) was represented by Carol Bogue, Human Resource Representative.

Background. On January 14, 1998, Appellant requested reallocation of his Transportation Engineer 2 position by submitting a classification questionnaire (CQ) to Respondent's Personnel

Office. Appellant requested that his position be reallocated to the Transportation Engineer (TE) 3 classification. By memorandum dated April 9, 1998, Respondent denied Appellant's request for reallocation. Appellant appealed the decision to the Department of Personnel. The Department of Personnel received Appellant's appeal on May 5, 1998. The Director's determination was issued on May 10, 1999. The Director's designee, Mary Ann Parsons, concluded that Appellant's position was properly allocated. On May 25, 1999, Appellant filed exceptions to the Director's determination with the Personnel Appeals Board. Appellant's exceptions are the subject of this proceeding.

By letter dated June 24, 1999, Appellant provided his specific exceptions. In summary, Appellant takes the following exceptions and alleges that: (1) the Director's designee denied his reallocation based on the time he spent on the individual complex parts of a project rather than on the project as a whole, (2) the Director's designee did not apply enough weight to the letter of support he provided from William Brown, and (3) the Director's designee failed to consider the allocation of other positions as relevant to the allocation of his position.

Summary of Appellant's Argument. Appellant argues that 77.09 percent of the projects he is assigned contain complex elements. Appellant admits that complex elements do not comprise a majority of the overall elements of these projects, but contends that his position should be reallocated based on the more complex assignments as a whole. Appellant argues that William Brown, the resident expert in traffic review and design approval, supports his reallocation and that significant weight should be given to Mr. Brown's opinion. Furthermore, Appellant contends that the duties and responsibilities he performs are the same as those performed by other employees in

positions allocated to the TE 3 classification. Appellant contends that the allocations of similar positions should be considered when determining the proper allocation of his position. Appellant asserts that he designs complex traffic signal and roadway illumination systems and that his position is best described by the TE 3 classification.

Summary of Respondent's Arguments. Respondent asserts that the majority of Appellant's duties are described by the TE 2 classification. Respondent argues that Appellant does not perform complex duties a majority of time. Respondent admits that Appellant is assigned projects that include complex elements, but that these elements do not represent a majority of the work Appellant is required to perform in order to complete the projects. Respondent contends that a majority of Appellant's duties and responsibilities are standard traffic design elements that are best described by the TE 2 classification. Therefore, Respondent contends that Appellant's position should remain allocated to the TE 2 classification.

Primary Issue. Whether the Director's determination that Appellant's position is properly allocated to the Transportation Engineer 2 classification should be affirmed.

Relevant Classifications. Transportation Engineer 2, class code 66140, and Transportation Engineer 3, class code 66160.

Decision of the Board. The purpose of a position review is to determine which classification best describes the overall duties and responsibilities of a position. A position review is neither a measurement of the volume of work performed nor an evaluation of the expertise with which that work is performed. Also, a position review is not a comparison of work performed by employees in

similar positions. A position review is a comparison of the duties and responsibilities of a particular position to the available classification specifications. This review results in a determination of the class which best describes the overall duties and responsibilities of the position. Liddle-Stamper v. Washington State University, PAB Case No. 3722-A2 (1994).

While a comparison of one position to another similar position may be useful in gaining a better understanding of the duties performed by and the level of responsibility assigned to an incumbent, allocation of a position must be based on the overall duties and responsibilities assigned to an individual position compared to the existing classifications. The allocation or misallocation of a similar position is not a determining factor in the appropriate allocation of a position. Flahaut v. Dept's of Personnel and Labor and Industries, PAB No. ALLO 96-0009 (1996).

The definition for TE 3 states: "Performs advanced transportation engineering work under limited supervision."

The distinguishing characteristics for TE 3 state, in relevant part:

> Designer, design reviewer, or operations team supervisor in a complex technical area that frequently requires specialized applications such as:
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> > Traffic Signals: Performs capacity analysis to determine optimum signal timing and phasing. Directs and creates base plans, channelization plans, delineation plans, wiring diagrams, field wire termination details and writes special provisions for innovative traffic signals deviating from standard techniques such as high speed vehicle detection systems, multiple detector emergency preemption systems, and advance warning systems. Performs computer analysis to develop, implement, and evaluate coordinated timing patterns for optimum traffic flow. Modifies phasing of arterial signal systems for safety and operational efficiency.
> > . . . .

> Illumination: Creative deviations from standards requiring light level calculations, uniformity ratio calculations, voltage drop calculations and designing extensive modifications to existing systems.
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> Traffic Signing: Develops specialized signing plans including sign type, layout, size, support and positioning for projects with complex geometrics, heavy traffic volumes and high safety hazard such as multi-lane urban freeways, intersections with multiple crossroads, interchanges with significantly different quadrants, cloverleaf interchanges with collector/distributors and combination diamond/ cloverleaf interchanges. Creates unique signing plans for highways and freeways that deviate from standards available in the MUTCD or Design Manual.
> . . . .

While Appellant performs some duties at the TE 3 level, by his own admission, the majority of his overall duties and responsibilities are not complex. The majority of Appellant's duties are best described as standard traffic design elements and do not meet the level of complexity intended to be encompassed by the TE 3 classification. Therefore, allocation to this classification is not appropriate.

The TE 2 classification encompasses positions that work under general supervision to accomplish a wide variety of work in the office, laboratory and/or field. The distinguishing characteristics, under the traffic section state:

> Performs traffic and route analysis involving traffic assignment, determination of design hour traffic data, development of growth factors and accident analysis; designs standard traffic signing, channelization, delineation, signals, illumination, and basic surveillance control and driver information features; lays out pavement markings; operates and adjusts electrical or computer controlled traffic systems; conducts operational reviews of signals, signing, channelization, and other traffic control devices in order to assess efficiency/safety and designs recommended modifications. Within a district, administers the Scenic Vistas Act of 1971 and the Motorist Information Signing Program."

The level of complexity of the majority of Appellant's duties and responsibilities fit within the description of the TE 2 classification. Appellant's supervisor estimates that at any particular time, the complex job elements of the projects assigned to Appellant comprise between 10 and 25 percent of his overall responsibilities. Furthermore, Appellant admits that complex elements do not comprise a majority of the overall elements of the projects he is assigned. Because the majority of Appellant's duties and responsibilities are standard traffic design elements, his position is properly allocated to the TE 2 classification.

Conclusion. The appeal on exceptions by Appellant should be denied and the Director's determination dated May 10, 1999, should be affirmed and adopted.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the appeal on exceptions by Appellant is denied and the Director's determination dated May 10, 1999, is affirmed and adopted. A copy is attached.

DATED this _____ day of _____, 1999.

WASHINGTON STATE PERSONNEL APPEALS BOARD

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Walter T. Hubbard, Chair

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Gerald L. Morgen, Vice Chair